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EXAMINER

PEREZ DAPLE, AARON C

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/866,414	DISCENZO ET AL.	
	Examiner	Art Unit	
	Aaron C Perez-Daple	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/12/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37,41-43,45-49,53-55 and 57-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37,41-43,45-49,53-55 and 57-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Action is in response to RCE filed 11/12/04, which has been fully considered.
2. Amended claims 1-37, 41-43, 45-49, and 53-55 and new claims 57-59 are presented for examination.
3. This action is non-Final.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-7, 10, 11, 15, 31-34, 36, 37, 41-43, 45-47, 49, 53-55 and 57-59** are rejected under 35 U.S.C. 102(e) as being anticipated by Hays et al (US 6,260,004 B1) (hereinafter Hays).
6. As for claims 1 and 32, Hays discloses a diagnostics and control system for controlling a motorized system and diagnosing the health thereof, comprising:
 - a controller that operates the motorized system in a controlled fashion (micro-controller/PID controller 188, Fig. 4a); and
 - a diagnostics system integrated with the controller that diagnoses the health of the motorized system according to a measured attribute associated with the motorized system,

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the diagnostics system providing a diagnostics signal to the controller (col. 6, lines 23-42, "The system apparatus...reducing pump wear."; col. 20, lines 65-68, "If diagnostic information...increases pump life.").

7. As for claim 2, Hays discloses the diagnostics and control system of claim 1, the measured attribute comprises at least one of vibration, pressure, current, speed, and temperature (col. 1, lines 40-65, "Vibration monitoring equipment...called an 'orbit.'"; "col. 10, line 49 - col. 11, line 29, "Diagnostics apparatus 24...computing device 38."; vibration sensor 80, Fig. 1; col. 12, lines 63-66, "Machine sensors may...rotating equipment 14.").
8. As for claim 3, Hays discloses the diagnostics and control system of claim 1, the motorized system comprises a motor and a load, and the load comprises at least one of a valve, a pump, a conveyor roller, a fan, a compressor, and a gearbox (col. 6, lines 46-57, "Thus, the present invention...equipment monitoring variables.").
9. As for claim 4, Hays discloses the diagnostics and control system of claim 1, the diagnostics system provides a diagnostics signal according to the health of the motorized system, and the controller provides a control signal to the motorized system according to at least one of a setpoint and the diagnostics signal (col. 14, lines 45-62, "In one embodiment...to rotating machine 14.").
10. As for claim 5, Hays discloses the diagnostics and control system of claim 1, the measured attribute comprises at least one vibration signal obtained from a sensor associated with a motor in the motorized system (vibration sensor 80, Fig. 1; col. 12, lines 63-66, "Machine sensors may...rotating equipment 14."; col. 13, lines 7-12, "Diagnostic apparatus 24...variables thereto.").

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11. As for claim 6, Hays discloses the diagnostics and control system of claim 5, the diagnostics system is adapted to diagnose the health of at least one of a motor bearing, motor shaft alignment, and motor mounting according to the measured vibration (col. 13, lines 7-12, "Diagnostic apparatus 24...variables thereto.").
12. As for claim 7, Hays discloses the diagnostics and control system of claim 6, the diagnostics system performs frequency spectral analysis of the vibration signal (col. 24, lines 31-55, "Referring to Fig. 16...by box 1614.").
13. As for claim 10, Hays discloses the diagnostics and control system of claim 1, the motorized system comprises a motorized pump, the measured attribute comprises at least one vibration signal obtained from a sensor associated with the pump, and the diagnostics system is adapted to diagnose the health of the pump according to the measured vibration (col. 12, lines 63-66, "Machine sensors may...rotating equipment 14."; col. 13, lines 7-12, "Diagnostic apparatus 24...variables thereto.").
14. As for claim 11, Hays discloses the diagnostics and control system of claim 10, the diagnostics system is adapted to perform frequency spectral analysis of the vibration signal (col. 24, lines 31-55, "Referring to Fig. 16...by box 1614.").
15. As for claim 15, Hays discloses the diagnostics and control system of claim 1, the motorized system comprises a motorized pump, the measured attribute comprises a current associated with a motor in the motorized system, and the diagnostics system provides a diagnostics signal indicative of pump cavitation according to the measured current (col. 8, lines 44-48, "The method is based...wear and tear."; col. 13, lines 13-18, "By receiving data...impending maintenance.").

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16. As for claim 31, Hays discloses the diagnostics and control system of claim 1, the diagnostics system comprises at least one of a neural network, an expert system, and a data fusion component (col. 4, lines 27-52, "MARINTEK has undertaken...for pump maintenance.").
17. As for claim 33, Hays discloses the method of claim 32, further comprising providing a diagnostics signal indicative of the health of the motorized system, operating the motor comprises controlling the motor according to at least one of a setpoint and the diagnostics signal (col. 14, lines 45-62, "In one embodiment...to rotating machine 14.").
18. As for claim 34, Hays discloses the method of claim 33, further comprising measuring an attribute associated with the motorized system, providing the diagnostics signal comprises obtaining a frequency spectrum of the measured attribute and analyzing the frequency spectrum in order to detect at least one fault in the motorized system (col. 24, lines 31-55, "Referring to Fig. 16...by box 1614.").
19. As for claim 36, Hays discloses the method of claim 32, diagnosing the health of the motorized system according to a measured attribute associated with the motorized system comprises:
 - providing the measured attribute to at least one of a neural network, an expert system, and a data fusion component (col. 4, lines 41-52, "Recent published research...for pump maintenance."); and
 - providing a diagnostics signal indicative of the health of the motorized system from the at least one of a neural network, an expert system, and a data fusion component (col. 4, lines 41-52, "Recent published research...for pump maintenance.").

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20. As for claim 37, Hays discloses the method of claim 36, operating the motor comprises controlling the motor according to at least one of a setpoint and the diagnostics signal (col. 14, lines 55-62, "In another embodiment...to rotating machine 14.").
21. As for claims 41 and 42, Hays discloses an integrated control and diagnostics system for a motor, the system comprising:
- a diagnostics module to generate a health assessment signal indicative of the health of the motor (computer 38, Fig. 1; col. 6, lines 23-42, "The system apparatus...reducing pump wear.");
 - a controller integrated with the diagnostics module and coupled to the motor, the controller outputting a driving output based on the health assessment signal, the driving output is applied to the motor (micro-controller/PID controller 188, Fig. 4a; col. 6, lines 23-42, "The system apparatus...reducing pump wear.").
22. As for claim 43, Hays discloses the control and diagnostics system according to claim 41, the controller is associated with at least one controllable parameter, the parameter being controllable in response to the health assessment signal (col. 6, lines 23-42, "The system apparatus...reducing pump wear.").
23. As for claim 45, Hays discloses the control and diagnostics system according to claim 41, further including at least one sensor, the sensor generating a signal indicative of a parameter associated with the motor, the health assessment signal is based on the sensor signal (col. 13, lines 7-18, "Diagnostic apparatus...impending maintenance.").

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24. As for claim 46, Hays discloses the control and diagnostics system according to claim 45, the controller includes a velocity feedback loop and a torque feedback loop (col. 13, lines 39-50, "Additional machine sensors...rotating machine 14.").
25. As for claim 47, Hays discloses the control and diagnostics system according to claim 46, the velocity feedback loop generates a current reference signal in response to the sensor signal, and the torque feedback loop generates the driving output in response to the current reference signal (col. 13, lines 39-50, "Additional machine sensors...rotating machine 14.").
26. As for claim 49, Hays discloses the control and diagnostics system according to claim 45, the motor parameter is one of a group consisting of velocity and vibration (col. 13, lines 7-18, "Diagnostic apparatus...impending maintenance.").
27. As for claim 53, Hays discloses the control and diagnostics system according to claim 41, the diagnostics module includes an ASIC that generates the health assessment signal based on a process constraint (Fig. 4a).
28. As for claim 54, Hays discloses the control and diagnostics system according to claim 42, the health assessment signal is indicative of whether the motor is deviating from a normal operating characteristic (col. 6, lines 23-42, "The system apparatus...reducing pump wear.").
29. As for claim 55, Hays discloses the control and diagnostics systems according to claim 41, further comprising a coordination module coupled to a plurality of the control and diagnostics systems, the coordination module alters the driving output associated with one of the control and diagnostics systems based on the driving output of another one of the control and diagnostics systems (col. 13, lines 39-50, "Additional machine sensors...rotating machine 14.").

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30. As for claim 57, Hays discloses an integrated control and diagnostics system, comprising:
- means for controlling a motorized system utilizing a health assessment signal indicative of the health of the motorized system (micro-controller/PID controller 188, Fig. 4a; col. 16, line 26 – col. 17, line 3; col. 20, lines 65-68); and
 - means for generating the health assessment signal, the means for generating integrated with the means for controlling (col. 16, lines 26-54).
31. As for claim 58, Hays discloses a composite control and diagnostics system to control a motor, comprising:
- means for effectuating movement of the motor in a controlled fashion based in part on a health assessment signal (col. 16, lines 26-54; col. 20, lines 65-68);
 - means for formulating the health assessment signal, the means for effectuating movement and the means for formulating the health signal forming an integrated unit (Fig. 4a; col. 16, lines 26-54).
32. As for claim 59, Hays discloses an integrated control and diagnostics system, comprising:
- means for diagnosing the health of a motorized system integrated with a means for controlling the motorized system, the means for diagnosing producing a signal (col. 16, lines 26-54; col. 20, lines 65-68); and
 - means for communicating the signal to the means for controlling (col. 20, lines 65-68).

Claim Rejections - 35 USC § 103

33. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

34. **Claims 8, 9, 12-14 and 16-19** are rejected under 35 U.S.C. 103(a) as being obvious over Hays (US 6,260,004 B1) in view of Ogi et al (US 5,419,197) (hereinafter Ogi).

35. As for claims 8 and 12, although Hays discloses the use of artificial intelligence in control networks (col. 4, lines 41-52, "Recent published research...for pump maintenance."), Hays does not specifically disclose a diagnostics system comprising at least one of a neural network or an expert system, wherein frequency spectral analysis is performed using the at least one of a neural network or expert system. Ogi teaches a diagnostics system comprising at least one of a neural network or an expert system, wherein frequency spectral analysis is performed using the at least one of a neural network or expert system (col. 2, lines 29-57, "In order to achieve...the lapse of time."; col. 4, lines 45-57, "Subsequently, the normalized...the power supply."). It would have been obvious to one of ordinary skill in the art to modify Hays by using a diagnostics system comprising at least one of a neural network or an expert system, wherein frequency spectral analysis is performed using the at least one of a neural network or expert system, because this would provide the advantage of an adaptable system that can be used with a variety of sensor and equipment types, as taught by Hays (col. 2, lines 18-28, "It is an object...the lapse of time.").

36. As for claims 9 and 13, Hays discloses a diagnostics and control system similar to claims 8 and 12, the controller provides a control signal to the motorized system according to at least one of a setpoint and the diagnostics signal (col. 14, lines 45-62, "In one embodiment...to rotating machine 14.").

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37. As for claim 14, Hays discloses a diagnostics and control system similar to claim 12, the diagnostics system employs data fusion techniques in order to derive the at least one vibration signal from at least one sensor associated with the motorized system (col. 4, lines 41-52, "Recent published research...for pump maintenance.").
38. As for claim 16, although Hays discloses the use of artificial intelligence in control networks (col. 4, lines 41-52, "Recent published research...for pump maintenance."), Hays does not specifically disclose a diagnostics system comprising a neural network adapted to synthesize a change in condition signal from the measured current. Ogi discloses a neural network adapted to synthesize a change in condition signal from the measured current (col. 2, lines 29-57, "In order to achieve...the lapse of time."; col. 4, lines 45-57, "Subsequently, the normalized...the power supply."). It would have been obvious to one of ordinary skill in the art to modify Hays by using a diagnostics system comprising a neural network adapted to synthesize a change in condition signal from the measured current, because this would provide the advantage of an adaptable system that can be used with a variety of sensor and equipment types, as taught by Hays (col. 2, lines 18-28, "It is an object...the lapse of time.").
39. As for claim 17, Hays does not specifically teach the use of a preprocessing portion operatively coupled to neural network nor a post processing portion coupled to the neural network for determining whether the change in condition signal is due to a fault condition. Ogi teaches the use of a preprocessing portion operatively coupled to neural network and a post processing portion coupled to the neural network for determining whether the change in condition signal is due to a fault condition (col. 4, lines 9-13, "A processor 10 further...digital computer.")

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40. As for claim 18, neither Hays nor Ogi specifically disclose the use of a fuzzy rule based expert system. "Official Notice" is given that both the use and advantages of fuzzy rule based expert systems are known and expected in the art. It would have been obvious to one of ordinary skill in the art to modify the teachings of Hays and Ogi by using a fuzzy rule based expert system because this would allow for making decisions based on general rules of diagnosis or control.
41. As for claim 19, Hays discloses a diagnostics and control system similar to claim 18, the diagnostics system detects at least one fault relating to the operation of the pump and at least one fault relating to the operation of the motor driving the pump according to the measured current (col. 12, lines 63-66, "Machine sensors may...rotating equipment 14."; col. 13, lines 7-12, "Diagnostic apparatus 24...variables thereto.").
42. **Claims 20-30 and 35** are rejected under 35 U.S.C. 103(a) as being obvious over Hays (US 6,260,004 B1) in view of Petsche et al (US 5,640,103).
43. As for claims 20-26 and 35, although obvious to one of ordinary skill in the art, Hays does not specifically disclose obtaining a space vector angular fluctuation from a current signal relating to operation of the motor in order to detect a fault in the motor. Petsche teaches obtaining a space vector angular fluctuation from a current signal relating to operation of the motor in order to detect a fault in the motor (col. 3, line 52-col. 4, line 2, "In accordance with...the training phase."). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hays by obtaining a space vector angular fluctuation from a current signal relating to operation of the motor in order to detect a fault in the motor, because this would facilitate the detection and correction of motor faults, as taught

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by Petsche (col. 1, lines 8-19, "The present invention...or abnormally, respectively.").

Furthermore, the various modifications recited in claims 22-26 would be obvious to one of ordinary skill in the art because, as demonstrated by Petsche, the use of space vectors for representing and analyzing time-varying current signals is well known in the art.

44. As for claim 27, Hays discloses the diagnostics and control system of claim 26, the diagnostics system is adapted to analyze fluctuations in amplitude of the first spectral component in order to detect at least one fault associated with the motorized system (col. 1, line 48 - col. 2, line 14, "Monitoring machine performance...CSI Application paper....").

45. As for claim 28, Hays discloses the diagnostics and control system of claim 27, the first frequency is approximately twice the frequency of power applied to a motor in the motorized system (col. 1, line 48 - col. 2, line 14, "Monitoring machine performance...CSI Application paper....").

46. As for claim 29, Hays does not specifically disclose the use of the Goertzel algorithm.

"Official Notice" is given that both the use and advantages of the Goertzel algorithm are well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hays by using a Goertzel algorithm to extract the amplitude of the first spectral component in order to analyze the amplitude of the first spectral component, because this is a well known method of spectral analysis.

47. As for claim 30, Hays discloses the diagnostics and control system of claim 29, the at least one fault comprises at least one of a stator fault, a rotor fault, and an imbalance in the power applied to the motor in the motorized system (col. 13, lines 7-18, "Diagnostic apparatus...impending maintenance.").

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48. **Claim 48** is rejected under 35 U.S.C. 103(a) as being obvious over Hays (US 6,260,004 B1) in view of Gotou et al (US 4,933,834) (hereinafter Gotou). As for claim 48, Hays does not specifically disclose the use of P-I controller to generate the current reference signal. Gotou teaches the use of a P-I controller in a velocity feedback loop to generate the current reference signal (col. 1, lines 13-31, "In conventional control systems...in recent years."). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hays by using a P-I controller to generate the current reference signal in a velocity feedback loop, because PI controllers are widely used in motor control systems to improve robustness and suppress the influence of disturbances, as taught by Gotou (col. 1, lines 13-31, "In conventional control systems...in recent years.").

Response to Arguments

49. Applicant submitted no new arguments with Remarks filed 11/12/04.

In the Advisory Action mailed 10/21/04, the Examiner previously addressed the new limitation of an "integrated control and diagnostics system." Specifically, the Examiner found that Hays et al. (US 6,260,004 B1) (hereinafter Hays) clearly discloses just such an integrated diagnostics and control system. This is evident from the abstract and previously cited Fig. 4a. As further evidence, previously cited col. 6, lines 27-31, recites, "The system may also be used to diagnose change in the operating condition of a system for purposes of diagnosing maintenance and/or diagnosing change in the operation and control of the system." In addition, col. 16, lines 26-54, detail that the PLC of Fig. 4a performs both

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control and diagnostics functions. Therefore, the claims are properly rejected under 35 U.S.C. 102 (e) as anticipated by Hays.

Conclusion

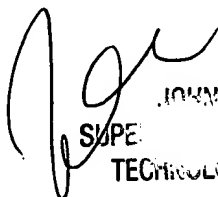
50. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron C Perez-Daple whose telephone number is (571) 272-3974. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 3/16/05

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